



SPONSOR: Rep. K. Williams

HOUSE OF REPRESENTATIVES
149th GENERAL ASSEMBLY

HOUSE AMENDMENT NO. 1
TO
HOUSE BILL NO. 58

1 AMEND House Bill No. 58 by removing lines 34 through 40 in their entirety and inserting in lieu thereof the
2 following:

3 ~~“(f) No covenant, restriction, or condition contained in a deed, contract, or other legal instrument which affects~~
4 ~~the transfer, sale, or any other interest in real property, which is zoned for residential use and the lot or lots are 1/2 of an~~
5 ~~acre or greater in size, that prohibits or unreasonably restricts the owner of the property from installing or using a ground~~
6 ~~mounted system for obtaining solar energy on that owner's property shall be allowed in any deed, contract or other legal~~
7 ~~instrument. A covenant, restriction, or condition which requires that fencing, landscaping, or other appropriate means be~~
8 ~~used to shield the system from view, so that it is not readily visible from adjacent streets shall be deemed to be a~~
9 ~~reasonable restriction.”.~~

10 FURTHER AMEND House Bill No. 58 by deleting lines 41 through 42 in their entirety.

SYNOPSIS

This Amendment is a substantive change which serves to remove existing subsection (f) relating to ground mounted systems instead of making the revisions noted in HB58. This Amendment also removes the provision relating to a prevailing party being entitled to costs and reasonable attorney's fees associated with litigation arising under this section.